

The longing for growth is not wrong. The nub of the problem now is how to flip over, as in jujitsu, the magnificent growth energy of modern civilization into a nonacquisitive search for deeper knowledge of self and nature. Self-nature. Mother Nature.

Gary Snyder, A Place in Space

Jujitsu: A New Vision for an Old Mine

By Debra Weistar

We live in a complicated landscape. The Sierra Nevada in general, and the San Juan Ridge in particular is at once ravaged, and breathtakingly beautiful. We live next to abandoned gold mines that conceal a toxic legacy we are only just beginning to uncover, within an interconnected river system that carries life-giving waters from the mountains to the sea. Destruction and creation, side by side.

The San Juan Ridge Mine is a prime example of a massive historic gold mine endowed with legal protections that stretch back 144 years to the General Mining Act of 1872; protections that favor corporate mining interests over the human and natural communities they operate within. These legal protections make it extremely hard – some might say impossible – for a community to assert its right to clean water, or unpolluted air, despite some of the strongest environmental laws in the world. But that didn't stop our determined community from doing all we could to keep the San Juan Ridge Mine from reopening when the owner applied for a use permit in early 2012. After a long and arduous campaign, on March 14, 2016 the Nevada County Planning Department officially closed the application. *That* application.

Like so many environmental victories, this one was tempered by the reality that the “win” was not a permanent solution. The owner of the mine could file a new application for a use permit, and we'd be right back where we started. It was, however, a welcome respite in which to strategize and envision a sustainable, long-term plan for the property. (For background information on the history of the mine and its impact on the Ridge community, go to www.sjrtaxpayers.org.) Within a month of the Planning Commission's decision, the San Juan Ridge Taxpayers Association (SJRTA) held a public meeting to begin the conversation to “think about and act upon a means to take this historic mine property out of consideration as a gold mine.” Thus the new work began. We moved from opposition to opportunity; our search for “deeper knowledge of self and nature” focused on the same issue, with entirely different intent.

But where to start? The SJRTA started where they began: with the community. They created a survey to engage the Ridge community in a visioning process and received 160 responses. The results were tallied and the data compiled. Sol Henson, SJRTA president, would not have guessed some of the outcomes. “I was surprised at how many people want some sort of economic development on the Ridge. People want to have better economic scenarios and choices. I think there are a lot of people that are just getting by, so they want to see our community flourish with economies that are not necessarily based on marijuana or gold.”

The most popular use for the land was recreational - riding and bicycle trails with 96% of respondents marking yes or ok in support. Next was a solar farm with 95%. The least popular use was commercial cannabis with 48% yes/ok, and 52% no. (For the complete survey results, go to www.sjrtaxpayers.org.)

Ridge citizens are known for their innovation and vision. Poets, artists, farmers, entrepreneurs, educators – we think big, and we’re used to not letting obstacles stop us. But there are two realities to this scenario: the property is still owned by a mining corporation, and some sections of the property are contaminated from the hydraulic mining.

To learn about options to address the first reality, I spoke with Marty Coleman-Hunt, Executive Director of the Bear Yuba Land Trust (BYLT). The land trust sets aside land that the community determines is special, and permanently protects it from development, using a number of legal mechanisms. Marty lit up when I asked her about the San Juan Ridge Mine property. “It’s a unique property because it is such a large landscape and it has been so degraded. The condition of the land has an impact on the rest of the land in the area. It’s important that the neighbors are involved in defining how the land in their community should be managed for the benefit of everyone in their community.” Marty went on to explain that a community organization or public entity could purchase the land outright, and the land trust could place a “conservation easement” on the property. That means that the land trust acquires the development rights for that property, including the mining/mineral development rights. The land trust then extinguishes the development rights deemed by the community to be ones that should be off the deed forever, no matter who the successive owners are. Not all of the development rights have to be extinguished; some can be retained to, for example, build housing on part of the property. That type of use can be determined by the land use plan that is desired by the community and/or the funders.

A second approach is for the land trust itself to acquire the property. The land then becomes a preserve owned by the land trust, and development rights are extinguished forever.

Marty further explained, “The land trust looks at everything: history, culture, natural resources on the property, sustainable ways to generate income, compatible uses – timber harvesting, grazing, recreation. We look at stewarding the property in a sustainable way. All is taken into consideration during this process.”

The second reality is more sobering: the land is not just degraded, but contaminated. There is no such thing as an *uncontaminated* historic hydraulic mine unless it’s been cleaned up – and this one hasn’t.

Elizabeth “Izzy” Martin, CEO of The Sierra Fund, has probably spent more time on the issue of reclaiming toxic legacy mines in the Sierra Nevada than anyone in the state. According to Izzy, “All abandoned mines have physical hazards; there is no mine in the world that doesn’t have physical hazards unless it has been fully remediated. So the first step, prior to deciding what one wants to do with the property, is to do a very thorough landscape evaluation, an ‘inventory’.”

Once an inventory is compiled for each parcel that makes up the property, then, as Izzy says, “You know what you have – in hazards and in opportunities.” Everything is documented – the good as well as the bad. Once that information is collected, then remediation can begin.

Both Marty and Izzy were quick to point out that we can brainstorm and dream all day, but a fundamental question remains: Who is the “we” in this equation? Who ultimately decides what happens on this land?

To start that conversation, I met with Tim Farley, the new CEO of San Juan Mining Corporation. Farley had met with the SJRTA Board earlier in the year to discuss what our community could embrace (read: “not oppose”) for use of the property. He is clearly intrigued by the rich cultural and artistic heritage the Ridge is (in part) known for. He seemed to recognize that the “gold” here on San Juan Ridge takes many forms and is not limited to Au-79*. We invited and challenged him to think differently about this land and about land “use”, and to deliver a message from our community to his Board. More than once in our conversation he quoted the well-known idiom, “It’s possible to do well by doing good.” Whether or not we can collaboratively define what “doing good” means is yet to be seen, but I am optimistic.

I spoke with Izzy Martin before I met Tim Farley. I later reflected on something she said that didn’t stand out to me until after my meeting with Tim. She said, “A smart entrepreneur who had access to capital could probably turn this into a profitable venture because there are those parts of the property that can be developed; there are opportunities to do interesting things out there.”

Sol observed that many here want to see sustainable economic development. The CEO of a mining corporation our community fought against for decades also has an interest in compatible use. Talking about remediation, restoration, and sustainable economic development is a flip over (as in jujitsu) from the endless work to stop a threat to our water and quality of life.

We are at the beginning of a new conversation. No one knows where it will end up, but we do know where it starts. Here. On the Ridge. Home.

*Au-79: Symbol and atomic number of gold in the Periodic Table of Elements.

Debra Weistar lives a mile from the San Juan Ridge Mine. She and her husband, Tom, made the film Water for Gold, about the devastating effects of the mine, and the extraordinary community effort to keep it from reopening.